

HOUSE BILL 2325  
By McMillan

AN ACT to amend Tennessee Code Annotated,  
Title 53, Chapter 10, Part 3, relative to the  
controlled substance database.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 53-10-303(a), is amended by adding the following language as a new subdivision (3) and by redesignating the subdivisions accordingly:

(3) The commissioner of the department of commerce and insurance;

SECTION 2. Tennessee Code Annotated, Section 53-10-307(a), is amended by deleting the subsection in its entirety and by substituting instead the following:

(a) The failure of a dispenser to submit on a timely basis information to the database required under this part after the committee has submitted two specific requests in writing for the information, or when the committee determines that the individual has demonstrated a pattern of failing to submit the information as required, shall be considered grounds by the appropriate licensing board for disciplinary action, including, but not limited to, denial or revocation of a license. Should a matter be brought for failure to provide information, the committee shall, after providing proper notice to the individual, consider all relevant information, including any information or statements by the individual, and then determine if any of the following actions should be taken:

(1) A recommendation to the appropriate licensing body that it should refuse to issue or renew a license to the individual;

(2) A recommendation to the appropriate licensing body that it should revoke the individual's license; or

(3) A recommendation to the appropriate licensing body that it should commence disciplinary action against the individual, including the seeking of civil penalties.

SECTION 3. Tennessee Code Annotated, Section 53-10-309, is amended by deleting the section in its entirety and by substituting instead the following:

The committee shall report annually to the Judiciary Committees of both the House and the Senate of the General Assembly on the outcome of the program with respect to its effect on distribution and abuse of controlled substances, including recommendations for improving control and prevention of the diversion of controlled substances in this state.

SECTION 4. This act shall take effect on July 1, 2005, the public welfare requiring it.